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DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

OS REGISTRY
FILE 100-106

* SECOM-D-298

13 December 1984

MEMORANDUM FOR: SECOM Members
Chairman, SECOM Personnel Security Subcommittee

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FROM:

[Redacted]
Chairman

SUBJECT: Access to Criminal History Files for
Personnel Security Purposes

1. The attached memorandum from the NSA member of the Security Committee discusses potential utilization of National Crime Information Center files to obtain data needed by the Intelligence Community for personnel security purposes.

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2. SECOM members are requested to advise of problems their agencies have encountered in accessing criminal history data, provide any suggestions they have for overcoming those problems, and comment on [Redacted] enterprising proposal. A copy of member inputs should be provided the Chairman of the Personnel Security Subcommittee. This subject will be scheduled for discussion at a SECOM meeting in early 1985.

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3. The Personnel Security Subcommittee is requested to examine this matter, consider [Redacted] suggestion and alternate ways for the Community to access the required criminal history data, and prepare a report with recommendations for SECOM consideration by 30 January 1985.

Attachment:

NSA memo serial M5/0068/84 dtd 28 Nov 84



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

Serial: M5/0068/84
28 November 1984

MEMORANDUM FOR THE CHAIRMAN, DCI SECURITY COMMITTEE

SUBJECT: National Crime Information Center (NCIC) Interstate Identification Index (III)

1. The National Crime Information Center (NCIC) is a computerized index of missing persons and criminal information designed for a rapid exchange of information between criminal justice agencies. It is located at and maintained by the FBI; connecting terminals are located at Federal, state and local law enforcement agencies throughout the United States.
2. The Interstate Identification Index (III), an NCIC File, provides for the exchange of criminal history record information. The III contains the information that is required for a background investigation under Director of Central Intelligence Directive 1/14, i.e., National Agency Checks (NACs) and Local Agency Checks (LACs). Currently, 28 states participate in the III System and the remaining states have shown considerable interest. In the near future, the FBI will no longer maintain entire criminal records on individuals because these would be available from the states through III. They will continue to maintain and provide records concerning persons arrested by Federal agencies.
3. NSA has been experiencing increasing difficulty in obtaining LACs and we believe the problem is shared elsewhere in the Intelligence Community (IC). Several states refuse to supply criminal history records to non-law enforcement agencies. Many other states charge us for LACs. In addition, NACs may be incomplete, thus, incorrect. States are not required to inform the FBI of arrests but do so voluntarily. Some states no longer submit any reports because the FBI has a substantial backlog and is not up-to-date; other states relay only a first arrest, not subsequent arrests. We could receive a "no record" report or a one-time arrest record from the FBI when, in fact, there may be a substantial number of arrests.
4. The NCIC Advisory Policy Board and law enforcement agencies have a policy of not supplying criminal history records for employment purposes. This policy is of course not

a law and exceptions have been granted for employment purposes for school teachers, professional card dealers and law enforcement personnel. It is vital that the IC employ individuals capable of protecting classified information. Thus, we wish to request an exception to the policy for the better protection of national security.

5. Each agency should be able to provide certain assurances to the NCIC Board that the III System will not be abused. The terminal can be stored in a locked room and a log kept of its use. We currently obtain a release from each person which authorizes us to conduct NACs and LACs. These can be routinely provided to either the FBI or the appropriate state whenever the III System is used for a NAC or LAC. Each agency could provide its own terminal and access the III System through the state system, e.g., the Maryland Interagency Law Enforcement System (MILES) terminal for Maryland-based agencies.

6. Research projects have been conducted on the use of criminal records by Federal non-criminal justice agencies and state and local aspects of using criminal records for non-criminal justice purposes. The results of these two studies will be coordinated and are due to be published soon.

7. The difficulty of obtaining NACs and LACs is a dilemma facing the entire Intelligence Community. We are requesting that SECOM consider this issue, perhaps assigning it to the Personnel Security Subcommittee. The NCIC Board or the III Ad Hoc Subcommittee should then be presented with a unified appeal on behalf of the IC to be granted access to the III System for the better protection of national security.

Director of Security

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